

**MDL 1570 PLAINTIFFS' EXECUTIVE COMMITTEES**  
In re: Terrorist Attacks on September 11, 2001 (S.D.N.Y.)

**VIA ECF**

October 17, 2024

The Honorable Sarah Netburn, U.S. Magistrate Judge  
United States District Court for the S.D.N.Y.  
Thurgood Marshall U.S. Courthouse, Room 430  
40 Foley Square  
New York, NY 10007

Re: *In Re: Terrorist Attacks on September 11, 2001, 03 MDL 1570 (GBD) (SN)*

Dear Judge Netburn:

The Plaintiffs' Executive Committees ("PECs") respond to the October 16, 2024 letter of WAMY's counsel (ECF No. 10439). In connection with the PECs' request and WAMY's proposal regarding access to private identification and contact information redacted from the Letter, the PECs propose that the redacted information be made available to Messrs. Asner and Flaherty on an attorneys-only basis, without access provided to WAMY, its MDL counsel, or Baker Tilly, who may be investigative subjects of the alleged wrongdoing. In addition, as previously indicated, we propose to provide the Court with a sealed unredacted copy of the Letter.

The PECs are interested in moving the investigation forward, but we consider that investigation should not be left solely in the hands of the parties who may be implicated in the allegations. Moreover, investigating whether the allegations have merit should not focus so sharply on who disclosed the wrongdoing, but rather on whether the assertions have merit. Notably, where WAMY counsel and the witness were present in the deposition room, access to the redacted information is unnecessary for WAMY counsel and Baker Tilly to investigate allegations that other people were in the room helping the witness to answer questions. They have yet to answer that question directly.

For the reasons expressed in our October 15, 2024 letter, we continue to seek to Court's guidance regarding filing the Letter in unredacted form and providing the redacted information to the subjects of the investigation. We await the Court's clarification.

Respectfully submitted,

MOTLEY RICE LLC

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For the Plaintiffs' Exec. Committees

cc: The Honorable George B. Daniels, via ECF  
All Counsel of Record via ECF  
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